

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

NATIONAL LABOR RELATIONS BOARD	:	
	:	No.
Petitioner	:	
v.	:	
POTOMAC DISPOSAL, INC.	:	Board Case No.:
	:	05-CA-175956
Respondent	:	

JUDGMENT

THIS CAUSE was submitted upon the application of the National Labor Relations Board for the enforcement of a certain order on consent issued by it against Respondent, Potomac Disposal, Inc., its officers, agents, successors, and assigns, on December 21, 2016, in Board Case No. 05-CA-175956; and upon the record in that proceeding, certified and filed in this Court enforcing the order.

ON CONSIDERATION WHEREOF, it is ordered and adjudged by the United States Court of Appeals for the Fourth Circuit that the order of the National Labor Relations Board be, and the same is hereby enforced; and that the Respondent, Potomac Disposal, Inc., its officers, agents, successors, and assigns, abide by and perform the directions of the Board set forth in its order. (See Attached Order and Appendix)

Mandate shall issue forthwith

NATIONAL LABOR RELATIONS BOARD

v.

POTOMAC DISPOSAL, INC.

ORDER

Potomac Disposal, Inc., Gaithersburg, Maryland, its officers, agents, successors, and assigns, shall:

1. Cease and desist from

- (a) Failing or refusing to bargain in good faith with Construction and General Laborers Local Union 11, affiliated with Laborers' International Union of North America (the Union), as the exclusive collective-bargaining representative of employees in the following unit:

All employees employed in the division of the company working under the garbage disposal contract with the government of Montgomery County, Maryland, but excluding all other employees, office clerical employees, professional employees, managerial employees, guards and supervisors as defined by the Act.

- (b) In any like or related manner interfering with employees in the exercise of the rights guaranteed in Section 7 of the National Labor Relations Act.

2. Take the following affirmative actions:

- (a) On request, meet and bargain with the Union as the exclusive collective-bargaining representative of the employees in the Unit.
- (b) Within 14 days of service by the Region,
 - (i) post copies of the attached notice marked as Appendix at all of its facilities. Copies of the notice, on forms provided by Region Five, after being signed by the Respondent's authorized representative, shall be posted and maintained for 60 consecutive days in conspicuous places, including all places where notices to employees are customarily posted. The Respondent will take reasonable steps to ensure that the notices are not altered, defaced, or covered by any other material. In the event that, during the pendency of these proceedings, the Respondent has gone out of business or closed any of the facilities involved in

these proceedings, the Respondent shall duplicate and mail, at its own expense, a copy of the notice to all current employees and former employees employed by the Respondent at that facility at any time since November 1, 2015.

- (ii) schedule and hold a meeting or meetings to ensure the widest possible attendance where the Respondent's representative reads the attached notice marked as Appendix to the Unit in English and Spanish on worktime in the presence of a Board agent, or in the alternative, schedule and hold a meeting or meetings to ensure the widest possible attendance where a Board agent reads the attached notice marked as Appendix to the Unit in English and Spanish on worktime.
- (c) Within 21 days after service of this Order by the Region, file with the Regional Director a sworn certification by a responsible Respondent official attesting to the steps that the Respondent has taken to comply.

APPENDIX

NOTICE TO EMPLOYEES

**Posted by Order of the
National Labor Relations Board
An Agency of the United States Government**

**PURSUANT TO A STIPULATION PROVIDING FOR A BOARD ORDER
AND A CONSENT JUDGMENT OF ANY APPROPRIATE
UNITED STATES COURT OF APPEALS**

FEDERAL LAW GIVES YOU THE RIGHT TO:

- Form, join, or assist a union;
- Choose representatives to bargain with us on your behalf;
- Act together with other employees for your benefit and protection;
- Choose not to engage in any of these protected activities.

Construction and General Laborers, Local Union 11, affiliated with Laborers' International Union of North America (the Union) is the employees' representative in dealing with us regarding wages, hours and other working conditions of our employees in the following appropriate unit:

All employees employed in the division of the company working under the garbage disposal contract with the government of Montgomery County, Maryland, but excluding all other employees, office clerical employees, professional employees, managerial employees, guards and supervisors as defined by the Act.

WE WILL NOT fail or refuse to bargain in good faith with the Union as the exclusive collective-bargaining representative of our unit employees.

WE WILL, upon request, meet and bargain in good faith with the Union as the exclusive collective-bargaining representative of our unit employees.

WE WILL NOT in any like or related manner interfere with your rights under Section 7 of the Act.

POTOMAC DISPOSAL, INC.

The Board's decision can be found at www.nlrb.gov/case/05-CA-175956 or by using the QR code below. Alternatively, you can obtain a copy of the decision from the Executive

Secretary, National Labor Relations Board, 1015 Half Street, S.E., Washington, D.C. 20570, or by calling (202) 273-1940.

